

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRUSTEES OF THE SUBURBAN TEAMSTERS)	
OF NORTHERN ILLINOIS WELFARE AND)	
PENSION FUNDS,)	
)	
Plaintiffs,)	
)	No. 08 C 1905
v.)	
)	Judge Coar
RISKUS & GRANDT, INC.,)	
an Illinois corporation,)	Magistrate Judge Schenkier
)	
Defendant.)	

MOTION FOR JUDGMENT IN SUM CERTAIN

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for entry of a default judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

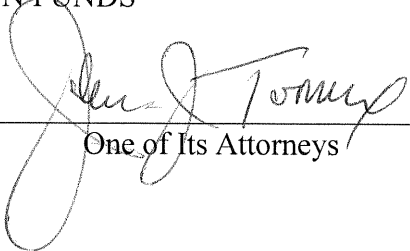
1. Suit was filed on April 3, 2008 for collection of delinquent contributions, attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Corporate service upon the Defendant, RISKUS & GRANDT, INC., an Illinois corporation, through the Illinois Secretary of State, on June 30, 2008 and a copy of the proof of service was filed with the court on May 18, 2008.
3. Defendant is now in default as to the Complaint and as supported by the attached Affidavits the sums due are:

\$7,322.40	Welfare
\$4,464.05	Pension
\$925.00	Attorneys fees
<u>\$410.00</u>	Court costs
\$13,131.45	

WHEREFORE, Plaintiff prays for the entry of judgment against Defendant, RISKUS & GRANDT, INC., an Illinois corporation, and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS in the amount of \$13,131.45.

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS WELFARE AND
PENSION FUNDS

By:



One of Its Attorneys

JOHN J. TOOMEY
ARNOLD AND KADJAN
19 W. Jackson Boulevard
Chicago, Illinois 60604
(312) 236-0415

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Defendant.)	

AFFIDAVIT IN SUPPORT OF
ATTORNEYS' FEES

NOW COMES the undersigned, JOHN J. TOOMEY, upon being first duly sworn,
deposes and states as follows:

1. The undersigned is counsel of record in Case No. 08 C 1905.
2. Affiant is an attorney licensed to practice law in the State of Illinois since 1978.

Affiant is admitted to the trial Bar of the Northern District of Illinois, the Central District of Illinois and the Seventh, Eighth, Second, Eleventh Circuit Courts of Appeal, U. S. Tax Court and the United States Supreme Court.

3. The time spent in the case are as follows, were reasonably necessary in the prosecution of the case, and no paralegals were used:

April 3, 2008	Open file; draft complaint and summons and file with court	2 hours
May 18, 2008	Return of service filed with the court	.5 hours

August 12, 2008 Draft Motion for Judgment in Sum Certain 1.5 hour

Court appearance on Motion for Judgment
in Sum Certain 1.0 hour

4. The costs expended in prosecuting the case are:

Filing fee \$350.00

Service of process
Argus Agency \$50.00

Illinois Secretary of
State \$10.00

Total \$410.00

5. Reasonable value of such services is One Hundred Eighty Five Dollars per hour:

\$185.00 x 5 hours \$925.00

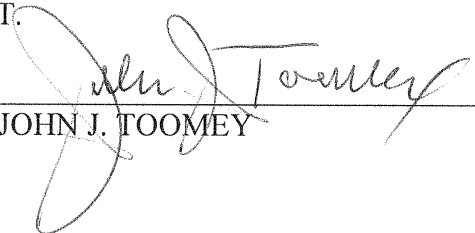
6. The total in fees and costs expended are:

Attorneys' fees \$925.00

Costs \$410.00

Total \$1,335.00

FURTHER AFFIANT SAYETH NOT.



JOHN J. TOOMEY

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ARNOLD AND KADJAN
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AFFIDAVIT

RICHARD SIEBERT, upon being first duly sworn deposes and states as follows:

1. Affiant is employed by the Suburban Teamsters Welfare and Pension Fund ("Funds") as an auditor, is familiar with the Riskus & Grandt, Inc., an Illinois corporation audit ("Employer"), having examined its books and records to determine what amounts if any were due and owing the Funds, and is also familiar with the parties' agreement concerning contributions, liquidated damages and interest owed.

2. That an audit of Employer's books and records was performed on July 23, 2008 covering the period June, 2004 through August, 2007 and found to be owing:

Pension	\$4,464.05
Welfare	\$7,322.40

3. That Employer was given a copy of the audit and given notice of findings on July 25, 2008 and has made no effort to pay or settle.

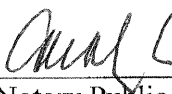
4. That the audit including liquidated damages and interest totals \$11,786.45.

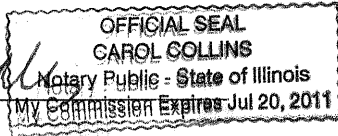
5. That Affiant suffers from no disability and can so testify and affirm such facts.

FURTHER AFFIANT SAYETH NOT.


RICHARD SIEBERT

SUBSCRIBED AND SWORN
to before me this 4th day of
August, 2008.


Notary Public



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ORDER OF JUDGMENT

This matter coming to be heard upon Plaintiff's Motion for Judgment in a sum certain and the court being fully advised in the premises,

IT IS HEREBY ORDERED AS FOLLOWS:

That judgment is entered in favor of the Plaintiff TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS and against the Defendant, RISKUS & GRANDT, INC., an Illinois corporation in the amount of \$13,131.45.

Date:

Entered:

JUDGE COAR